

**CITY OF ELLISVILLE
COUNCIL MEETING**

FEBRUARY 17, 2021

Due to the Saint Louis County Executive Order gathering limitations the February 17, 2021 Regular Council meeting was held via live videoconference. *A link was provided on the City's website for all that wanted to participate in the videoconference.*

Mayor Roemerma served as the host of this videoconference meeting and opened this Regular Meeting at 7:00 p.m. In attendance were via videoconference were Council Members Chismarich, McGrath, Reel, Cahill, and Duffy. Council Member Pool was excused.

Also present via videoconference were: City Manager Schwer, City Attorney Restovich, City Planner Hood, Chief Steve Lewis, and City Clerk Dohack.

All those in attendance via videoconference recited the Pledge of Allegiance led by Council Member Chismarich.

APPROVAL OF AGENDA

Mayor Roemerma moved to approve the evening's agenda, seconded by Council Member Duffy. The votes on the approval were "AYES".

APPROVAL OF MINUTES

Mayor Roemerma moved to approve the minutes from the February 21, 2021 Regular Council Meeting. The motion was seconded by Council Member Duffy. The votes on the minutes were: Duffy "AYE", Roemerma "AYE", Chismarich "AYE", McGrath "AYE", Reel "AYE" and Cahill "AYE".

PUBLIC COMMENTS I

John Hoffman, 1617 West Field Avenue, thanked the Public Works Department for the outstanding job on the clearing of streets from the recent snow storm.

RECIPT/FILING PLANNING AND ZONING RECOMMENDATIONS/REPORTS

Mayor Roemerma moved to receive and file of the following Planning and Zoning Commission's recommendations:

- A. Receipt and filing of Planning and Zoning Commission's positive recommendation dated February 11, 2021 relative to the petition of Kevin Patton and Darrin Patton d/b/a Doyle Patton Services for issuance of a conditional use permit to allow the operation of an appliance/HVAC service/repair business and minor amendment to the previously approved condominium plat to combine two units into one at the property known and numbered as 206 Old State Road, Units 4 & 5, located within the "C-5" Planned Commercial Zoning District.

- B. Receipt and filing of Planning and Zoning Commission's positive recommendation dated February 11, 2021 relative to the petition of Dr. Charles Zieba for approval of a conditional use permit to allow Off Street Parking for Non-Residential uses as 420 Old State Road and Off-site Parking, Parking in Excess of the maximum allowed, Landscape Waivers and Application Fee Waiver associated with a new parking lot at 420 Old State Road, within the R-1 Single-Family Residential Zoning District and an addition to the existing building at 428 Old State Road within the C-3 Commercial Zoning District.

The motion was seconded by Council Member Duffy. The votes were: Duffy "AYE", Roemerman "AYE", McGrath "AYE", Chismarich "AYE", Reel "AYE", and Cahill "AYE".

PUBLIC HEARINGS

206 Old State Road, Units 4 & 5 (Doyle Patton Services), CUP

Mayor Roemerman opened the public hearing regarding the petition of Kevin Patton and Darrin Patton d/b/a Doyle Patton Services for issuance of a conditional use permit to allow the operation of an appliance/HVAC service/repair business and minor amendment to the previously approved condominium plat to combine two units into one at the property known and numbered as 206 Old State Road, Units 4 & 5, located within the "C-5" Planned Commercial Zoning District. City Attorney Restovich entered the following exhibit for purposes of this hearing: Exhibit 1, Certified Copy of the Municipal Code, Exhibit 2, Zoning District Map; Exhibit 3, Comprehensive Plan; Exhibit 4, Notice published in *The Countian* on January 25, 2021; Exhibit 5, Public Posting of Notice on February 1, 2021; Exhibit 6, Letter mailed to the abutting property owners within 185 feet on February 1, 2021; Exhibit 7, Application Cover Sheet received January 13, 2021; Exhibit 8, Application for Conditional Use Permit, with attached plans; Exhibit 9, Letter from Kevin Patton to City Council dated February 2, 2021; Exhibit 10, City Ordinance No. 3371; Exhibit 11, Planning and Zoning Commission Report and Favorable Recommendation dated February 11, 2021; and Exhibit 12, City Planner's Memo dated February 11, 2021.

Kevin Patton, City Planner Hood and City Manager Schwer were sworn in. Dan Button was also sworn in during the Public Hearing. Mr. Patton began stating that his company has been a business since 1971, working out of his parent's home on Oak Hills. Mr. Patton and his brother, Darrin, are both homeowners within the City. Discussion ensued pertaining to the amount of full-time employees and the service vehicles that would be on-site. Mr. Patton noted that there will be one or two office employees and the service vehicles will only stop by the site to pick up parts. Questions were answered pertaining to the parking spaces on the site also. Mr. Button noted that Unit 4 & 5 has spaces.

There were no public comments.

Mayor Roemerman polled the participating Ellisville residents and property owners regarding the information as presented: Two (2) residents were in favor and no one was in opposition.

Mayor Roemerman closed the public hearing.

420 and 428 Old State Road (Zieba Family Dentistry), parking CUP and addition

Mayor Roemerman opened the public hearing regarding the petition of Dr. Charles Zieba for approval of a conditional use permit to allow Off Street Parking for Non-Residential Uses as 420 Old State Road and Off-site Parking, Parking in Excess of the maximum allowed, Landscape Waivers and Application Fee Waiver associated with a new parking lot at 420 Old State Road, within the R-1 Single-Family Residential Zoning District and addition to the existing building at 428 Old State Road within the C-3 Commercial Zoning District. City Attorney Restovich entered the following exhibit for purposes of this hearing: Exhibit 1, Certified Copy of the Municipal Code; Exhibit 2, Zoning District Map; Exhibit 3, Comprehensive Plan; Exhibit 4, Notice published in *The Countian* on February 2, 2021; Exhibit 5, Public Posting of Notice on February 1, 2021; Exhibit 6, Letter mailed to the abutting property owners within 185 feet on February 1, 2021; Exhibit 7, Application Cover Sheet received January 28, 2021; Exhibit 8, Application for Conditional Use Permit, with attached plans; Exhibit 9, Application for Site Plan Review, with attached plans; Exhibit 10, Letter from Zieba Family Dentistry to City Council dated February 2, 2021; Exhibit 11, Terraspec Landscape Plan Review #1 for 420-428 Old State Road dated January 25, 2021; Exhibit 12, Terraspec Landscape Plan Review #1 for 428 Old State Road dated March 17, 2021; Exhibit 13; Planning and Zoning Commission Report and Favorable Recommendation dated February 11, 2021; and Exhibit 14, City Planner's Memo dated February 11, 2021.

Dr. Charles Zieba, David Volz, and City Planner Hood were sworn in. Dick Busch and Dan Milken were sworn in during the Public Hearing. Discussion took place pertaining to the parking lot and water runoff, design of the addition and what would happen to the existing home and garage at 420 Old State Road. Dr. Zieba stated that the home at 420 Old State will come down once the project is complete and the garage will have a façade upgrade to be more consistent with the office at 428 Old State Road. The representatives noted that the water runoff will be directed toward Old State Road and not toward the adjacent homeowners. The Council Members thanked Dr. Zieba for his continued investment for his practice within Ellisville. There was a consensus among the Council to make sure the existing home at 420 Old State be demolished on completion of the project.

Public Comments

Leland Foster, 655 Barrow Ridge, thankful for the practice and noted that with the new parking area make sure there would be additional signage and striping for turn lanes.

Jim Tilden, 16616 Pierside Lane, questioned how can a residential property be zoned to have commercial parking lot.

Mark and Karen Carron, 16065 Pierside Lane, noted that the proposed project looks good and appreciated the efforts to involve neighbors.

Mayor Roemerman polled the participating Ellisville residents and property owners regarding the information as presented: Four (4) residents were in favor and no one was in opposition.

Mayor Roemerman closed the public hearing.

LEGISLATION

Ord. #3472, 206 Old State Road, Units 4 & 5 (Doyle Patton Service, CUP)

Council Member Cahill introduced Bill #3700, AN ORDINANCE APPROVING THE PETITION OF DOYLE PATTON SERVICES FOR ISSUANCE OF A CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF AN APPLIANCE/HVAC SERVICE/REPAIR BUSINESS AT THE PROPERTY KNOWN AND NUMBERED AS 206 OLD STATE ROAD, UNITS 4 AND 5, LOCATED WITHIN THE “C-5” PLANNED COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI. Council Member Cahill moved for consideration and perfection of Bill #3700, seconded by Council Member Reel. The votes on the first reading of Bill #3700 were: Duffy “AYE”, Roerman “AYE”, Chismarich “AYE”, McGrath “AYE”, Reel “AYE”, and Cahill “AYE”.

Mayor Roerman, Council Members Duffy and Reel noted their favor for the approval and thanked Mr. Patton wishing all the best on the company’s new endeavor.

Council Member Cahill introduced Bill #3700 for final passage, AN ORDINANCE APPROVING THE PETITION OF DOYLE PATTON SERVICES FOR ISSUANCE OF A CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF AN APPLIANCE/HVAC SERVICE/REPAIR BUSINESS AT THE PROPERTY KNOWN AND NUMBERED AS 206 OLD STATE ROAD, UNITS 4 AND 5, LOCATED WITHIN THE “C-5” PLANNED COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI. Council Member Cahill moved for final passage of Bill #3700, seconded by Council Duffy. The votes on the second reading of Bill #3700 were: Duffy “AYE”, Roerman “AYE”, Chismarich “AYE”, McGrath “AYE”, Reel “AYE”, and Cahill “AYE”. Bill #3700 becomes ORDINANCE #3472.

Ord. #3473, 420 and 428 Old State Road (Zieba Family Dentistry), Parking CUP and addition

Council Member Reel introduced Bill #3701, AN ORDINANCE APPROVING THE PETITIONS OF DR. CHARLES ZIEBA FOR (1) APPROVAL OF A SITE DEVELOPMENT PLAN FOR AN ADDITION TO THE EXISTING DENTAL OFFICE AT THE PROPERTY KNOWN AND NUMBERED AS 428 OLD STATE ROAD, LOCATED WITHIN THE “C-3” COMMERCIAL ZONING DISTRICT, AND (2) ISSUANCE OF A CONDITIONAL USE PERMIT TO ALLOW OFF-STREET PARKING FOR NON-RESIDENTIAL USE IN CONNECTION WITH A NEW PARKING LOT AT THE PROPERTY KNOWN AND NUMBERED AS 420 OLD STATE ROAD, LOCATED WITHIN THE “R-1” SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT OF THE CITY OF ELLSIVILLE. Council Member Reel moved for consideration and perfection of Bill #3700, seconded by Council Member Duffy.

Mayor Roerman thanked Dr. Zieba for his continued investment in the property and the practice and noted to the residents, that a striping plan will be provided as part of the approval. City Planner confirmed the striping requirement. Council Member Duffy noted this project is one of the best brought forward to the Council for consideration. Council Cahill asked a question to staff pertaining to allowing a parking lot within a residential zoning district. City Planner Hood responded that the City’s Municipal Code outlines the requirements if Conditional Use Permit approval is granted by the Council. Council Member Reel discussed the removal of the existing house at 420 Old State and questioned how much time would be needed after completion of the project for demolition. City Manager Schwer noted that six months would be an appropriate time frame.

Council Member Reel moved to amend Bill #3701 to include the additional condition that would require the existing home at 420 Old State Road to be demolished no later than six (6) months after complete of the project. The motion was seconded by Council Member Cahill. The votes on the amendment were: Duffy "AYE", Roerman "AYE", Chismarich "AYE", McGrath "AYE", Reel "AYE", and Cahill "AYE".

The votes on the first reading of Bill #3701, as amended were: Duffy "AYE", Roerman "AYE", Chismarich "AYE", McGrath "AYE", Reel "AYE", and Cahill "AYE".

Council Member Reel introduced Bill #3701, as amended, for final passage, AN ORDINANCE APPROVING THE PETITIONS OF DR. CHARLES ZIEBA FOR (1) APPROVAL OF A SITE DEVELOPMENT PLAN FOR AN ADDITION TO THE EXISTING DENTAL OFFICE AT THE PROPERTY KNOWN AND NUMBERED AS 428 OLD STATE ROAD, LOCATED WITHIN THE "C-3" COMMERCIAL ZONING DISTRICT, AND (2) ISSUANCE OF A CONDITIONAL USE PERMIT TO ALLOW OFF-STREET PARKING FOR NON-RESIDENTIAL USE IN CONNECTION WITH A NEW PARKING LOT AT THE PROPERTY KNOWN AND NUMBERED AS 420 OLD STATE ROAD, LOCATED WITHIN THE "R-1" SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT OF THE CITY OF ELLSVILLE. Council Member Reel moved for final passage of Bill #3701, as amended, seconded by Council Duffy. The votes on the second reading of Bill #3701, as amended were: Duffy "AYE", Roerman "AYE", Chismarich "AYE", McGrath "AYE", Reel "AYE", and Cahill "AYE". Bill #3701 becomes ORDINANCE #3473.

PUBLIC COMMENTS

There no additional public comments

MAYOR/COUNCIL BUSINESS/REPORTS

Appointment to the Planning and Zoning Commission

Mayor Roerman moved to appointment Leland Foster to the Planning and Zoning Commission. The motion was seconded by Council Member Duffy. The votes on the appointment were: Duffy "AYE", Roerman "AYE", Chismarich "AYE", McGrath "AYE", Reel "AYE", and Cahill "AYE".

Appointment to the Economic Development Commission

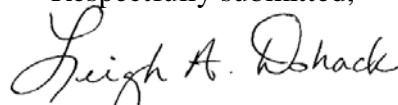
It was noted that there is a vacancy on the Economic Development Commission and will be considered when a nominee profile is received.

ACTIVE COMMITTEE STATUS/UPDATES

Mayor Roerman and Council Member Pool attended the Missouri Municipal League Legislative Update in Jefferson City on February 9-10, 2021. Mayor Roerman noted that the meeting was Council Member Pool's last meeting as a Board Member.

Mayor Roerman adjourned the meeting at 8:21 p.m.

Respectfully submitted,



LEIGH A. DOHACK
City Clerk